Supreme Court, U.S.
FILED

03 135 JUN 2 2003

OFFICE OF THE CLERK

No. _____

IN THE

# SUPREME COURT OF THE UNITED STATES

Jon Earl Moyer - PETITIONER

Vs.

Hitachi Data Systems, Inc. - RESPONDENT

**ON PETITION FOR WRIT OF CERTIORARI TO UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**

## PETITION FOR WRIT OF CERTIORARI

Jon Earl Moyer
Pro se Counsel
1240 India Street, #521
San Diego, CA 92101
858-699-0141

11 pp

## QUESTION (S) PRESENTED FOR REVIEW

On September 19, 2002 my complaint was filed and later on October 2, 2002 a first amended complaint was filed in the Superior Court of California, County of Orange, case No. 02CC14874, concerning (1) sexual harassment, (2) tampering, (3) discrimination national origin, (4) intentional infliction emotional distress. Later, plaintiff acting as pro se filed documents expanding the complaint to (5) breach of contract, and (6) consideration/non-payment of funds owed to me by Hitachi. The case was removed to Federal Court, CV-02-00942-DOC. Plaintiff's US District Court Appeal was lodged on November 21, 2002, Docket No. 02-57036. In addition, I filed outlines of "tampering" detail per two documents that plaintiff titled:

1. TAKEN / BEFORE (Contained in Exhibit A)
2. U.S. ATTORNEY, CENTRAL DISTRICT OF CALIFORNIA – FEDERAL INVESTIGATION REQUEST (Exhibit A)

Both documents are attached. Questions for review include and are not limited to:

1. Federal law takes into consideration State law and breach of contract for California State law is 2 and 4 years and hence having a US District Court dismiss for non-timely filing should be incorrect.

2. The Court of Appeals, Ninth Circuit, dismissed for failure to "perfect" the Appeal despite my three (3) attempts to do so with extreme professionalism. After 2 attempts to file my Opening Brief, I was sent a package. I completed the Opening Brief per the packet however it was not accepted or logged late. The clerk, Marian Foreman, wrote me a nice note on a stickum and stated the "Information Package for Pro Se Appellants" would help. Concerns:

a. The Second Circuit Court of Appeals in New York sends a package immediately that contains an example and other useful information.

b. The Supreme Court per a phone request sends a package of helpful information including an example.

c. My opening brief and excerpts were served and rejected on January 7, 2003, January 16, 2003, and February 3, 2003. The Supreme Court allows the clock to re-start I believe if a Writ of Certiorari is filed incorrectly.

d. I have documented conversation with the Courts, Superior Court for example, concerning them not helping me. I stated that I was asking about "procedural" information versus "legal" advice however I was note helped and was told that I was asking for legal aid. Later, on other Court web pages (Second Circuit), I found that I could have been helped concerning processing paperwork, etc.

id

3. Many courts have made mistakes yet my documents were not always filed and hence my case could have been incomplete. I can show the Supreme Court mistakes and inconsistencies.

## LIST OF PARTIES

X All parties appear in the caption of the case on the cover page.

**Respondent:**
Hitachi Data Systems, Inc., is represented by the law firm Morgan Lewis & Bockius LLP located at:

Morgan Lewis Bockius LLP
C/o Brian Johnsrud
2 Palo Alto Square
3000 El Camino Real, Suite 900
Palo Alto, CA 94306
650-843-4000

**Petitioner:**
Jon Earl Moyer
Pro se Counsel
1240 India St., #521
San Diego, CA 92101
858-699-0141

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None

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**OTHER**

N/A

IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that writ of certiorari issue to review the judgment below.

## OPINIONS BELOW

[X] For cases from **federal courts**:

The opinion on the United States court of appeals appears at **Appendix B** to the petition and is

[X] reported at Ninth Circuit.

The opinion of the United States district court appears at **Appendix C** to the petition and is

[X] reported at Central District of California.

[X] For cases from **state court**:

The opinion of the highest state court to review the merits appears at **Appendix D** to the petition and is

[X] reported at Superior Court of California, County of Orange.

## JURISDICTION

[X] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was March 6, 2003.

[X] No petition for rehearing was timely filed in my case.

The jurisdiction of this Court is invoked under 28 U.S.C. $1254(1).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Rights Constitutional Law - I believe that Hitachi and others have violated my Constitutional Rights, specifically my Right to Privacy or "Zones of Privacy", in the form of Tampering, Harassment, and Invasion of Privacy, Intentional Infliction of Emotional Distress, etc. I believe that they may have been on my phone with out my consent. The Courts have referred to the First, Third, Fourth, Fifth, and Ninth Amendments.....Bill of Rights is not Exhaustive..... penumbras .....conclude that Constitution does confer a right of privacy. Ref: 8.20 Right to Privacy, Constitutional Law, Schwartz.

Plaintiff believes that a heinous act would transpire if Complaint were dismissed and that a conspiracy to destroy a human life can be proved and testimony will include many lawyers, medical doctors, and others who will establish Plaintiff credibility.

An example of a statute of limitation is California breach of contract that is 2 and 4 years, aligned with the respective State law, however, my complaint was dismissed concerning a one-year statute of limitation. Federal law New York State aligns with New York State law and is 6 years. Other statutes seem to be one year ninety days.

In addition, my final day of employment should coincide with the monies that changed hand, consideration. Hence, my last day of employment is not July 23 or August 1, 2001 per Hitachi but must be November 15, 2001. I received a formal "paycheck" on that date. If this is not the case, then Hitachi clearly owed me monies.

## STATEMENT OF THE CASE

I have reviewed the circumstances leading up to my discharge and am of the belief that I may have been discriminated against on the basis of my **national origin**. In addition, I believe that I may have been wrongfully discharged and that Hitachi Data Systems (HDS) may have discriminated against me on the basis of **sexual harassment** in the work environment.

In addition to believing that I may have been wrongfully discharged and that Hitachi Data Systems (HDS) may have discriminated against me on the basis of **sexual harassment** and **national origin** in the work environment, I believe that managers, including, Jack Andersen, **intentionally inflicted emotional distress** including **tampering**.

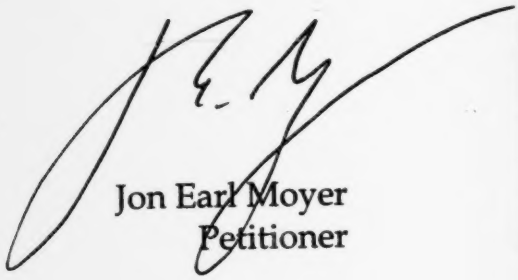
## REASONS FOR GRANTING THE PETITION

- Estoppel of Statute of Limitations – An unscrupulous defendant should not be allowed to use limitations as a weapon to defeat a legitimate cause of action. I believe that Hitachi not only wronged me per my Complaint but also was involved in a larger "program" that included controlling me, the lulling of me and that I could not have responded in a timelier manner.
- Nothing was really accomplished. No discovery was conducted and my life was easily dismissed.
- My complaint may have been filed within the Statute of Limitations per my conversation with the Superior Court of California.
- Having read many pages of case law, Federal Law seems to "align" with State law and Title VII for example is a base upon which the State of California aligns and then broadens. For example, in the area of marriage, California broadens. Referencing Title VII is no reason to remove a case to Federal Court.
- Plaintiff made significant effort to perfect the appeal having been sick, working 12-hour days in some cases for long periods of time, and moving due to a lack of income, etc.
- Hitachi is in my opinion involved in a larger heinous crime.
- Plaintiff has been **denied his State of California Constitutional Rights** in addition to possibly having been denied his Federal Constitutional rights.

## CONCLUSION

Wherefore, the petition for writ of certiorari should be granted. Petitioner respectfully asks that the Court reverse its judgment entered herein with a finding of fact in favor with the appellant; or if the Court does not feel it would be justified by the facts in so doing that the Court should **remand** the case for a fair and impartial trial before an unprejudiced jury, on proper evidence and under correct instruction as the law may deem just and proper.

Respectfully submitted,



Jon Earl Moyer
Petitioner

# Appendix

# Appendix A

# Supreme Court

Jon Earl Moyer
Pro se Counsel
7873 Avenida Navidad, #70
San Diego, CA 92122
858-699-0141

RECEIVED DEC 02, 2002
U.S. ATTORNEY OFFICE
SANTA ANA OFFICE

Acting as Attorney For Plaintiff

UNITED STATES ATTORNEY
CENTRAL DISTRICT OF CALIFORNIA

Jon Earl Moyer,
Plaintiff

v.

Hitachi Data Systems,
Defendant

**FEDERAL INVESTIGATION REQUEST**

I. **CRIMINAL COMPLAINT**
a. Attempted Murder
II. **CIVIL COMPLAINT**
a. Right to Privacy

TO THE UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE THAT THE CRIMINAL WINDOW OF THE US DISTRICT COURT IN SANTA ANA, CA INSTRUCTED ME TO FILE THIS FORM IN AN EFFORT TO BEGIN A CRIMINAL CASE. I would like any and all help getting to the correct agency in an effort to begin a criminal and/or Federal investigation.

**Background**

I have submitted to the Court documents that clearly outline a program and pattern (**TAKEN/BEFORE**) to my life based on retracing my footsteps for the past 15 years (building and executing) or so. I have been programmed and controlled, tampered with. I admit to being unaware to "tampering" issues while working at IBM however possibly I was tampered with and am addressing those issues v IBM. During my stay at Columbia University, I was extremely "tampered" with and since leaving Columbia University, I believe that I have been put on a path, a program, which many organizations may have bought into (planned for) including Hitachi. In an effort to fulfill this "program", loads, sedation and other forms of civil and criminal activity have occurred against me in my opinion. Mathematically, this programming has had to occur and probably was done in the sleep. I believe that I have been programmed (am controlled) and that these acts have been of such a horrible, perverse, and mind controlling nature that I have not been able to speak of them or take action against those parties involved until this past August 2002. In fact, I believe that I was programmed to take action in August. The parties involved control me. I believe that many organizations have been involved not limited to Hitachi, IBM and Columbia University. In fact, Paragon, Emerald, Andataco , AT&T, New York Life and many other organizations have played their role in the destruction of my life, what some people have called the BEFORE program since I was taken to all of these places BEFORE. My brother Dave Moyer has mentioned bits

and pieces of the program in addition to many others. I "hear" on a need basis and can only put 2 and 2 together in hind site.

I believe that I will be able to establish that a marriage arrangement network was developed and that I have been programmed to meet them, sometimes by them, and also for them. Several of the "arrangements", additional members of the program, are licensed Attorneys. I believe that I will be able to prove that Hitachi managers have had mind control over me and some of these "arrangements" and has as a result of their premeditated execution of this "program" exposed me to disease and forms of virus for example aids, herpes, etc.

Some "arrangement" and tampering examples include:

- **2002 Wrong:** Upon dating "arrangement" Huh (Juhie Hur) from Korea, having been taken to her place years prior by a one Joel Hoffmiester possibly as part of a larger "program" of tampering, Scott Generou, Vice President United States Sales Hitachi, directed Juhie Hur (Huh) to fuck, have sexual intercourse. She has been programmed to sparrow also. This occurred beginning on Feb 1, 2002 through the August, 2002 timeframe. Scott controls and directs this person via a data path of the bedroom window in her apartment. She was extremely programmed (doped up) upon meeting her and responded to Scott's voice including pitch and frequency. Scott could also effect me and this

tampering or invasion of my privacy occurred on a daily basis, stalking.

- **2002 Wrong:** Armand Rodezno, Hitachi manager, in my opinion has also sparrowed of a sexual nature Juhie and me in the April 2002 timeframe. These Hitachi management actions are within a recent one-year period from my filing date of civil complaint in September 19, 2002, case number Case No: SACV 02-942 DOC (MLGx). Hitachi continued to "tamper" with me and those with whom I come in contact with on an on-going basis through the September 2002 time period. The case has been Appealed and started in a Superior Court of California. Ref: Opposing Papers dated 10/30/02 filed in voluminous cover.

- **2000/2001 Wrong:** Jack Andersen, Hitachi Vice President, overtly stated "tampering" actions concerning himself and me in a Hitachi office. Jack stated that he could control me and made me do things concerning "arrangement" Cordula Adamek. Jack made the point it seemed that that was all he made me do. I believe that Jack knows what was done to me at Columbia University and after.

- **1996/1997 Wrong:** I believe that Mike Forsythe, another Hitachi manager, sparrowed (made me do unnatural sexual acts including "eat asshole") me while I was living in Connecticut in the 1996/1997 timeframe. In my mind, these actions occurred and are of fact and suggest a "clear" pattern of premeditated torture on the part of Hitachi. I was made to lick a females ass and

was shocked and pulled back. I was then threatened by a male voice that appeared to come off the wall. Later, while working for Hitachi, I believe that it was Mike Forsythe who caused this action. Pre-Columbia, Dave Moyer and my ex-wife took me to this house in Westport and Dave took me into it. He also mentioned sending the FISH out and yelled through wax that was in my ear that I was sleeping with. He also mentioned something about sparrow pre-Columbia.

- **2000 Wrong:** Another arrangement, Matsuo, sparrowed and was sparrowed in the 2000/2001 timeframe by a male American voice who was stopped by Dr. Kelly Johnson's voice late at night. Later, Matsuo said she was John Mulach in her sleep while in La Jolla, CA. Possibly Hitachi was cause of this action.

- It is only recently that I am able to talk about such perverse issues. I received torture (tampering) while attending Columbia University to the point of "near death" and since then I am aware of issues concerning tampering in the sleep, loads, programming. Since Columbia, my brain is many times aware in the sleep state or I am woken to the point of hearing. Since this torture, I have grown distant from my family and friends and have suffered extreme loss of self-esteem. During a walk in the woods with my mother as a child, she said to herself of someone that she will make him (Jon) give me "death" for the abuse I give him. Post-Columbia, I was served a power blast and gave my mother verbal death. I was extremely doped up. I also pulled my back post-Columbia were my ex-wife said

"hear" in the house of Tanna Kelb pre-Columbia. Same for vomiting were she said "hear" while dating arrangement Lori Baker.

- **1995 Wrong:** Others who may have been involved in tampering "could" include Hitachi Vice President's John Mulach and Hu Yoshida. John said something on the phone in 2000 about giving a signing bonus away to the Hitachi EMs based on performance. He said that I told him that I was "performance" and hence making a pot of money available for EMs based on performance was what I would have done. He laughed about it. The only time I told someone that I was "performance" IN MY LIFE was in my sleep while attending Columbia University in the 2nd semester, 1995. Prior to Hitachi, I had not known or met John Mulach. I was awoke somewhat do to someone making me say it via the wall data path. Multiple data paths came into my brain so John may have been talking to me and I might have been programmed to say that I was "performance". This was the same time that I was rapped, sedated and severely tortured to the point of bleeding out my asshole. Someone may have tried to make me gay and programming me to stick a mop, kitchen instruments, and other objects up my ass, activities that I have never performed or desired in my past life. Hitachi might be involved in a vicious, cruel, and heinous crime. If Hitachi was only partly involved in the Columbia portion of this program, then they know others involved in my opinion.

- Per Hitachi representative Steve White in the September 22, 2002 timeframe, "the program is to blame". Steve seemed well aware of this "program", my program given to me but NOT designed by me, including the plots to destroy my life. We discussed these issues in San Diego, CA just recently. I was not able to speak of these issues of tampering that occurred in my sleep and the related loads/mind control issues until the August 2002 timeframe and as a result I believe that these issues are relevant and timely. Horrible acts including those I believe Hitachi has committed have been suppressed. I could not talk about them until just a few months ago after undergoing a data extraction process. Hence, in an effort to up hold the law, morality, I believe that my issues concerning Hitachi should be heard in proper venue, trial Court. I do not believe that my Complaint should be subject to administrative processes that will fail my attempt to expose Hitachi's wrongs. I request from the Court process help, not legal advise unless you're willing, and direction in the form of meeting the correct procedures of the U.S. District Court so that justice may be served.

In summary, it is possible that Hitachi has committed "criminal" acts, exposure to herpes, Aids, and other forms of disease, as a result of their possible acts of tampering? I apologize in advance for not being an expert of the LAW, however, if the law are rules that society will enforce or reflective of common morality of human beings, then I am confident that "Hitachi" has committed heinous acts including gross fowl play,

malice, transfer malice, etc. that includes in my opinion "tampering", what should be criminal acts. I ask the United States for investigation, representation and a Court Trial.

I offer the Court (only) a Lie detector test and sedation test (controlled, safe, etc.) in an effort to add validity to my claims v Hitachi. What is the Statute of Limitations on what I would call "white collar attempted murder"? It is a complicated issue and I'm not sure that walking down to the local precinct will kick off this type of criminal case. No one pulled a gun! In my opposing papers, please see the taken/before outline that is factual. I have been taken to everyplace that I have walked post-Columbia. For this to have happened, I have had to been programmed in the sleep off the ceiling, wall or other. I can make this case with help from a government agency. I was taken to Carter's Court BEFORE.

**Rights**
**Constitutional Law**

I believe that Hitachi has violated my Constitutional Rights, specifically my Right to Privacy or "Zones of Privacy", in the form of tampering, harassment, and invasion of privacy. I believe that they may have been on my phone with out my consent. The Courts have referred to the First, Third, Fourth, Fifth, and Ninth Amendments.....Bill of Rights is not Exhaustive..... penumbras .....conclude that Constitution does confer a right of privacy.

C.A.9 (Cal) 1996 - California Civil Code provision creating state civil rights action does not provide substantive protections; instead, it enables individuals to sue for damages as a result of constitutional violations. **F.3d 1162.**

DATED: November 28, 2002, Thanksgiving Day, 2002

Jon Earl Moyer
Acting as Attorney, Pro se Counsel
(Temp) 7873 Avenida Navidad, 270
San Diego, CA 92122
858-699-0141

Attachment -
TAKEN/BEFORE Summary which will substantiate programming and destruction of human life.

Reference Cases -

Hitachi

1. California Superior Court (Santa Ana) - 02CC14874, Omnibus Calendar
2. US District California (Santa Ana) - SACV 02-942 DOC (MLGx), Appealed

IBM

1. New York State Supreme Court - 02-16736, Removed w/ Motion to Remand
2. US District Court (New York) - 02 Civ. 8894 (GEL)

3. California Superior Court (San Diego) - GIC800100

Columbia

1. New York State Supreme Court (Westchester) - 02-17402, Removed
2. New York State Supreme Court (New York) - 02-12356

New York Life

1. California Superior Court (San Diego) - GIC799443

**TAKEN / BEFORE**
**(1) Personality profile related to dating**
**(2) Arrangement network, (3) Tampering**

- Stood on rock in Maine and would not drop my pants to swing my penis per my mother's direction, brother's did & Tat hated me for defying her.
- Was reported to have dated Pat Tabor in 7th grade, first kiss at push w/ friend, Poole.
- First love was Shelly Lutz in 8th and 9th grade. She terminated me for 11th grader who was athlete, good looking. She was best looking in 7th to 12th grade, everyone heard of the breakup. I was slow to have sex maybe, virgin, child abuse, etc.
- Virgin at 16 years old, peer pressure from brothers (deck), found experience, Atkins
- Peer-pressure to date Pat Tabor, at least take to prom senior year. She gave me condoms at Prom, my birthday. Later terminated her and hated to date her. She did not want to go to college a virgin, etc.
- Prior to Prom (Senior year) dated Lori Brunell, and one other hot Sophomore, no sex.
- Girlfriend between High School and College while taking care of father - Kern.
- Valparaiso University - 2+ years no sex. LaDuke, Bear, Floor.
- Summer after sophomore year was dating Floor and Pike President's (Doug Brockman) girlfriend followed me to Austin, TX. Stupid to not have dated her. Ref: Brett Moyer. Dated Brett's girlfriend's friend,

hot, at mid-summer. Visited Floor in Michigan at end of summer. Terminated by Floor in Fall semester.

- Offered $20,000 by Bruce Cogan, Brett Moyer to screw James Kemper's daughter, Millie Terrell, of Kemper Insurance. Could not do.
- Junior and Senior year at Valparaiso University – dated ref: Benner, Bentley
- Valparaiso University senior year, Dr. Kelly Johnson said I was swinger due to being "technically" in 3-some. He said kiss the back of this person's neck and at the same time he kissed. Lasted a millisecond. Maybe he labeled me swinger & I've never been in the air or could rarely hear.
- General Electric – Field, Fontenase (she pushed, did not really like, hardly dated – Rich Paglia), Forde – hot body
- IBM Finland Trip – Passed on hooker in Russia both nights, hot, could not do.
- IBM – Forde, offer of marriage, would NOT move and cancelled (gave back diamond ring).

==========Marriage

- IBM - marriage, **Riggin/Tat**. Per Tat maybe GAY. Dave said GAY. Programmed and doped up and she knew Miller, Meg, and maybe transitioned me.
- 18-month separation – **G/Italian/Dave, Jeff Hoff/G, France/Tat/Brett** (3 arrangements).

==========Begin extreme sedation at Columbia

- Columbia – ex-wife legal marriage, 18-month separation, **M. Miller/Brett, Wine/Tat.**
- Columbia - Asian girl (hot) per Dave Moyer brought in by Dean, introed by Bilgore, could not

engage, doped up and controlled i.e. not an arrangement. First day of class, hit by **M. Miller**, last to class, last seat.

- Doped up to ask **M. Miller** w/ wedding rings on in class to marry in Finance later in semester.
- Columbia Late Arrangements – **Davis, Massey** – young (18) and hot, could not engage, doped up.

========== End extreme sedation at Columbia

- BFR/IBM – ex-wife divorce. Doped up post-Columbia to have meetings in NJ, introductions (ref: Dave Moyer, erase game)
- Westport, CT – **Bostic/Morris/Fox, Baker/Tat, Fisher/Brett/Dave, Ann/Tat/Dave, Adamek/German/Tat, Gordon/Jerry, Stevens/Dave.**
- Chicago, IL – **Williams/Jerry, Sherwood/Tat.**
- San Diego, CA – **Crystal/Brett, Matsuo/Japan/Tat, House/Tat, Huh/Korea/Tat, Golatta/Tat, Beth/ Brett/Peas, Brooks/Tat, L. Miller/Dave, Wei/China, Kathy/Tie/ex-wife, Regina/Indonesia/Tat,**
- Hitachi – **Palmer/Tat, Morley/Brett, L. Miller/Dave**

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Ex-wife made comments that she gives me to 40 years old. Makes me Flintstone, terminations, makes me journey, moved to meet arrangements and programmed. Matsuo is in network and says M has not given me my money and that count it up, its all I'm getting.....which takes me to 40 years old.....

Maybe the arrangements may have tried to make me sleazy per some of them or Slevin or Meddy, etc. Riggin said she would make my Flinstone and terminated me for messing up her life. Those that sparrowed were directed including Williams in hind site. The Asian's are most non-GAY however many have been doped up to extreme levels.

***Themes***

- Could not date more then one girl at once even if no sex.
- Programmed to mate, programmed to meet arrangements, only.
- Generally terminated by females - Dr. Kelly Johnson.
- Valparaiso University - Playboy Club, could not kiss multiple girls in one night, won on "quality" of girls dated.
- Programmed to meet arrangements and by them.
- All doped up at Columbia University - near death.
- Per Dave Moyer - when you go to business school you get your arrangement. Tat said I did not have to go to business school and Riggin found me.
- I have many arrangements per Tat and her building of list in living room.
- I was programmed to meet them and programmed by them having NOT picked them

and ask why me, what did I get for having had my life taken from me?

- Tampering from many including Dr. Kelly Johnson, Forsyth, Tat Moyer, etc. has lead to damaged life.
- To have retraced my steps for 15 years proves tampering to extreme levels including a "she" making me give my own mother "death". This transacted exactly as Tat said in the walk in the woods.
- Who ever controls the list (June Tower, who?) has destroyed my life so for example Jeff Hoffmiester and Kelly Johnson added to the list and years later Jeff may have programmed me to meet the arrangement. She might have been directed to meet me including loading in "their" program. It seems each load in their program into my mind.
- Proof of the program should be easy since I was **taken** to the meeting place before, many times per below.
- I can't marry a "gay" or "problem" arrangement and it takes time to figure out who they are. My mother said she would screw up my life so I can't take someone in her network. Also, most have "problems". Unfortunately, I can't meet anyone outside the "list" or "program".

***Signature Patterns of Arrangements (some of it)***

Signature Patterns of Arrangements - I was taken to all of these peoples <u>residence</u>, or <u>work place</u> by people

close to me (Dr. Kelly, ex-wife, Joel Hoffmiester, etc.) or place of meeting and many times I was taken INTO their actual house while no-one was at home possibly a decade prior to meeting them. I was programmed to meet them and they to find me. Some may have executed programs of mating. I reject programming and have felt unsettled most of my life.

- Riggin/Robinson – father built dinner area addition versus 3rd bedroom. Per Tat as a child, the one over the border is GAY. She said she would tell me that. She made comments that gay programs and will come for him and screws. Dave Moyer confirmed same in her house and later. Jill Goron, her friend, offers pussy and constant hits to swing per friend. Jack Tripper per her and friends per Gerald Moyer. Could make me have hard-on, Watchung, NJ – programmed me. She said she married me because she heard my mother's conversations as child of which female who takes me becomes powerful. She is R. Maybe she nervous me since she said all she had to say was Tat held him at a table.....why did I nervous.

Tacy/Forsythe.

- G/Italian – Toys-R-Us, grew up in basement, Boston University, AT&T father saved, Dave Moyer, Tat? Jim Gallagher sent her out per his conversation to the WALL in IBM office. She said if I go to Columbia she could not have me.....female pecking order. Made for Ann? She seemed normal but did not date long.
- Stacey G/Jeff Hoffmiester – Jeff and Kelly put her on the list. Family plays football...as if I have no family, etc. Barrington, IL, mother real state, Gs are Hs,

Jeff said in air that he programmed me for her. Dr. Kelly said NO but programmed. Valpo or someone took me to house in Barrington, IL, Jon's house, and years later Tim Hourihan bought it.

- France/LaFever – cheese smell would make companies buy out father's business per her and Tat. Introduced via Brett. Her brother had a problem, etc. She comes with a million dollars. Offered 3-some; through her out of cab in NY City. Dr. Kelly said NO but programmed. (J.P. Briant?)
- Meg Miller – talked about as child, father is lawyer. **Taken** to Georgetown by Jeff and maybe mother as child. Dave later said they will bring Baker up to CT and Meg into Columbia. 8 or 9 sisters, maybe GAY per Dave. Father divorced and remarried same lady. She hit me day one at Columbia. Ex-wife's network as Baker. Had wedding rings on per Brett's story in finance class, P comes up from NYU and teaches me finance. Robinson, Julian? Doped up to ask her to marry in class, last seat. Columbia runs a Harvard program 1st semester, controlled classes, meet arrangement? Per Dave she blows up like a balloon and did. (John Mulach – Matsuo talks to Meg?)
- Liz Gordon – **taken** to Westport by ex-wife and later ran into her at same place on Compo Beach. Per Gerald, this is the one who I should take and will be "flat" as a board, no tits. Gerald drank "Gordon's" gin. He slammed the bottle down and shocked me (never forget) as a child and told me to remember Gordon I think because he knew Tat was loading list with GAY, ref: Karen Williams. Attended Penn.

- Ann – ex-wife and I were on Compo Beach and male direction told ex-wife that "they" could make me for this person Ann who was in front of us. She is beautiful and attended Wellesley College and per Dave Moyer was one of 2 females I could date after Columbia the other being Adamek. Her sister attended Kenyon College. She worked for large auction house. Ellen Womack said she is GAY. The Wellesley connection to Dave Moyer's wife and wife's mother? Tom Frabrizio's (Andataco) direction was that I already knew that Ann was gay. Tat said something about driving down South Compo when I was a kid and that she would still know me if I took that one.
- Keys – Tat said she would sell keys when I was a kid and a female met me (30 years later) and we dated a couple of times. She was from La Jolla, CA and my ex-wife had **taken** me to her place (a nice house) in La Jolla, CA. This person sold keys and found me!
- Germany/Cordula Adamek – **taken** into her residence (Tanna Kelb) by my ex-wife years prior to meeting her. Cordula overtly reminded me of program to Bermuda per ex-wife. She said she was my mother, that she could heal me, etc. She communicated to Dave and Dave almost broke down the door of Hillandale Westport, CT house to meet her. Tat said Germany would be retarded (slow) and a picture in her kitchen in Germany is of a slow person. Hoffmiester's took me to JFK airport and said remember, same gate Cordula took off from. Power blast to pull my back was loaded in by ex-wife on 3rd floor stairway. First date was to strip joint when I said its not appropriate for a first date. I think Columbia made her play the "wild" date

game since I might not have had this on my resume. She said she was my mother. Cordula said she could heal me and heard that Tat said that. Maybe she was Gerstner for German and she asked for marriage holding me down so might be directed by Pat Tabor. She held me down and told me "she" did it and that "the table" was in the Hoffbraw house in Germany having been there. Clearly, she had my background of Tat's abuse holding me down at a table. It was the power blast like when I was made to give my mother "death" or when my back was pulled twice in Rosemont, IL and Westport, CT, loads from my ex-wife and other. Mind control happens, programming at extreme levels at business school. Apparently, Tat knows that business school programming takes a few years to wear off. Sometimes the arrangements make the program or run their "program". On a Chicago street, Cordula said she was an Actor (A German) and that that was good since she was Gay. My ex-wife said that she could say Hospice.

- Dawn Fisher – **taken** into her residence, friends place, and specific restaurant and bar by my ex-wife years prior to meeting her. She offered group sex I believe, maybe. I was doped up and Mike Forsythe was on my WALL, tampering. Dave Moyer said pre-Columbia that he would send the Fish out, sublim/overt. Brett and Dave both talked of her when we were kids. She kept coming back, doped up. This was just out of Columbia and I was still getting programmed, ref: wax and Dave Moyer.
- Rebecca – Tat said remember the book I read by Ken Follet, The Key to Rebecca. The only Rebecca I

know I was **taken** to by technicians while doing an email project at AT&T in Bedminster, NJ. If these arrangements have a manager, hers might be Reed Harrison?

- Lori Baker – **taken** into her residence and work place years prior to meeting her by my ex-wife. Tat liked this one maybe since she identifies with Boston, British, Beloit, etc. and Towers lent their name to Bs so the y could say founder versus Bankrupt. Jeff and Kelly spoke of her starting at Valpo and Tat said as a child that she will have 2 leers and could make me. I was taken to her father's boat slip in Mystic, CT and her sister's place. My ex-wife said crawl up on this and you will know her i.e. steps to the roof. My ex-wife said 2 as in my second wife will be the last and final. Tat said that its 50/50 to get a good one and American pussy does not break the code. It was then when I knew the common thread might be gay. She used Vaseline to get wet and almost told her father that she is gay. Brett talked of her as a kid. Dave mentioned that she would not do it to me, do what? Its interesting that many better looking girls could have been programmed to date me however I wad doped up to meet Baker. Signs were extensive and included Lori saying that her father stay in the Norwalk Inn when he comes and my mother repeating this to the "windshield" – match. Tat said she would be a architect and Lori was. Dave said that they would bring her up and my ex-wife took me to her place of work. She was the one who could make me a CEO at IBM per Brett or something?

- Jean Stevens – **taken** into her house by my ex-wife years prior to meeting her. Also taken to her relatives, sister and others, by my ex-wife. Dave talked about her allot when I was young, will sit and sell jewelry, which she did. Dave took me to place I would drop her off, she knew.....by store....
- Jamie Wine – Overtly stated that Tat talked about her making the arrangement connection. She would be a lawyer, attend Harvard law, etc. She was from the south side of Boston and father owned a small business or something. No H. She is smart enough to be honest. Met at Columbia while she was dating Ted T who might validate, Princeton.
- Carie Bostic – **taken** into her residence years prior to meeting her by Keith Morris or Peter Fox. She was to take me to California and took me to the western dance place that someone took me to a decade prior. Program. She also took me to this house Bay Area lady who helped her, W. Fireworks in CT and Beach in CA before. Maybe it was Peter Fox via IBM business trips. She wasted me. I believe per her direction however she will prove programming i.e. Gollatta, Baker programming.
- Stacey Sherwood – **taken** into her residence years prior to meeting her by possibly Valpo people, late 1980s. Dr. Kelly Johnson took me to a restaurant and told me to remember the seat, place, etc. just before going to Columbia. She said she married pickle man, Klaussen, who divorced her and did not leave her with money. Tat said when I was a child that she would marry pickle man and take his money and then marry me! I could not believe it.

- Karen Williams - **taken** into her residence years prior to meeting her by possibly Valpo people, late 1980s. Dr. Kelly took me to her place pre-Columbia. She offered 3 some and took me to gay restaurant that I was taken to before! She said she was from Minnesota and matched my father's direction via the kitchen window which was that they would mess her up for Tat messing me up. Dave made hints that Columbia would try to make me GAY since she knew I was far from it however in the process of attempted murder on Columbia's part, I never desired men, never. I reject programs. She was concerned about her sister signing a document that allows her and her female lover to live together. She was concerned about being exposed, labeled gay. In 12 months in Chicago, I could only meet arrangements. At the time I wasted her for sparrowing however her WALL did it to her. Post traumatic shock of Columbia, I hear much clearer. She is GAY, the pattern was clear of arrangement "problems". We met at a Junior League party at Marshall Fields and I was taken there before by Jeff Hoff or Damien Marshall?
- Hooker - Dr. Kelly **took** me to Zebra and later I met this girl at the same place who said she came to Chicago and lived in a car. I think she hooked and the doorman made a light of her dress. A picture on her end table matched a picture in my mother's house! She said she was from one of the wealthy suburbs of Detroit and matched Tat's comment, maybe wealth from the auto industry. Maybe Tat knew her mother from Beloit, which is in Wisconsin? The picture matched and I was programmed to meet her and only these

arrangements from my childhood. 3 + Jeff Hoff's arrangement in Chicago. Someone said there was a hooker in the program and it gets blamed on Germany and Japan, the internationals take the beating and get abused, sparrowed, with emphasis on the Asians.

- Beth Hannenberg - Peas, screams from childhood per my brothers that she will know me, that I took abuse - Peas, a town. **Taken** into her residence by my ex-wife or Joel Hoff years prior to meeting her. She may have hired me at HDS. She knew that I was abused and is probably my brother.
- Japan/Yoko Matsuo - **taken** into her residence by Joel Hoff and to her place by my ex-wife years prior to meeting her, early 1990s. She retraced a path from San Diego to Laguna Beach to the detail including buying a basket in a store that my ex-wife took me to. I was taken to the condo in Aliso Viejo by Joel Hoff and my ex-wife. She had a spot on the but, a game I would know (math), she marched per my mother (Male direction made her), was double M, directed to sparrow, messed up and Tat said I would help her similar to Cordula Adamek, and a male voice said to her that "her program was over". She gave me Larry Bernstein's (AT&T VP) sign and I bought her clothing in all the places my ex-wife took me including the "coat" I was to buy for her in Banana Republic in addition to the Christmas presents in Robinson Mays were my ex-wife took me. She sold out to the bitch network and accepted that I go back for Ann after termination from Hitachi. Sheila Patterson might know her. She is nice and needs help having been programmed by M, Men, per Brett as kid. Directed to

sparrow which Dr. Kelly Johnson stopped so he would know who made her in La Jolla, CA. She had the herpes which required the "mask" per my ex-wife. She went to Ginza and Ropungi and R picked up on her, my ex-wife, who might know all the arrangements. She said she was Valpo, might have been programmed V since she could orgasm via vibrator, V. She wanted kids but was programmed to say she did not, sucked into corner, Chris Chasen? The "corner" made me say I was my father at a dinner with Dave Moyer in New York City while attending Columbia. Did Dave know about the power loads to my back? My father has a bad back. Made in America by bitch? Might be Ok to be my father unless you get the Jack tripper crap (Gollata, Riggin). My brothers said I would be John and Yoko per Beatles and Tat said she would make me M leader. Maybe that was Meg but I do not think so. In her sleep she said she was John Mulach. California adventure/Disney? She might be the <u>first</u> not gay or not completely gay female I met. Joel took me to her place in SD and also checked her out 10 years later in Aliso Viejo and said she is UGLY. Tat said she would be able to make me CEO of Microsoft. Tat said NT will be on all the desks, etc. A male voice yelled at her in Laguna Beach and told her that her program was over.

- Korea/Huh - **taken** into her place years prior to meeting her by Joel Hoff. The person who lives above her says she has been there for 3 to 6 months however I think it is longer. J. Ferguson, traveling nurse (B304). Doped up and programmed. Her name is Juhie Hur in America and father is Huh in Korea. Dave Moyer said she Korea would be dirty years ago maybe. Dave's

wife is F. She matched conversation of Tat including real-estate bought, renovated, etc. Joel Hoff mentioned that her brother could work for IBM when he brought me to her place. Joel took me to her friends place in Del Mar Heights who kid attended the University of Illinois. They to have a German clock also. Harvard may have gone by name in Korea since when I was a child no one had attended Harvard Business School. Tat said Huh I think. Juhie's mother may have come from wealth per Juhie. She took me to places in La Jolla and we went to the same place in Napa that my ex-wife took me to. She is PGH and is prompted by the picture and WALL. I was taken to 2 of the stores that she has managed by Joel and my ex-wife years prior to meeting her and she has stated that she has felt programmed. She danced in the rain, R, naked as a child and my ex-wife picked up on he or mentioned this. Doped up when I met her. She is not gay, took me to 40 years old to meet a thin sexy non-gay girl. They subject ideas into her (Scarlet per Brett as kid) and she wanted to skinny dip in Ryoko's pool when my mother was visiting. She has changed since meeting and it's her programming. She took me to a doctors in Del Mar (Lim), Planed Parenthood by SDSU + Encinitas, Livingston/Scripps were I was **taken** before. IBM talked about her, private elevator and secretary to CEO of large Korean Insurance Company. She thinks that we would have met in Korea if her mother had not suggested America via World Cup Soccer or Olympics; I liked both as a kid. If many are gay then she was one a mistake and might have been labeled as gay if she tells the truth. She attended an all girls' school in Korea

and was a virgin till 27 years old. She dated losers per her so might have been labeled gay. Scott Generou (Hitachi) communicates with her via her window in addition to many others including Peters, Palunas, Harper, etc. P&G, GH, PF, HR names. Wall and Pictures prompt her and she seems addictive to it. Palunas - NYL, Peters - Primerica, Harper - HDS, etc. in apartment maybe others.

- Sharmen Brooks - **taken** to her place by my ex-wife years prior to meeting her. Tat said I would be able to say Brooks and that she would be a lawyer, that her father was a lawyer. She took me to places down town that I had been taken to before by Joel Hoff, apartment. She was doped to screw but loaded in "we can swing" at dinner. I was taken into her apartment complex but not into her specific apartment. We talked on the phone and she got waco about a date. My direction said that she would be the last and waiting for me. Someone thinks an arrangement must provide and Tat said/told Huh that Sharmen wants him. She is also Jack Andersen (Hitachi) I think and they wasted me. Jack and Sharmen communicate I believe. She seemed doped up and is TOP floor which Tat says she can program, T.
- Debbie Rotz - lived in Pitt, PA and my ex-wife had **taken** me to her place in SD years prior. She found me. Jack Andersen said he was Rotz. Maybe late add from my ex-wife. Maybe she heard me scream as a kid. Dave Sykes or someone lead me to believe that she was told to buy Qualcomm and hence became a millionaire. Again, for the abuse, Tat makes me wealthy. I want the 5th CEO job, my own wealth.

- Michelle German - late add by ex-wife who said that she would promote Jeff German (her father) at HDS to Vice and that Michelle's job would be a Seaworld, etc. I think she was a late add from my ex-wife who also said that she would put Lou Gerstner's daughter on the list. Taken to Hayatt **before**.
- John Mutch's daughter - maybe late add by ex-wife and "30 countries" was one sign but I did not ask. She was with UCSD who said I want her and one was a nurse who gave me signs. I have met the nurse who has directed me on other occasions. Tat said she would make software, predictive software, and that she would hire me to sell it or something. Maybe HNC. John is CEO of HNC.
- Anna Marie Golatta - **taken** to her residence, work location, Del, sushi restaurant years prior to meeting her by my ex-wife. I was taken into her bedroom, shoes. Joel Hoff took me to the Archstone Palisades La Jolla, CA in addition to my ex-wife who said they will paint it. They did paint it the year I lived there. Joel made some comment that, "can we do it here". I was doped up and programmed similar to all the places I was taken. Net, she was a big program and it seems the Italian's and German like each other. Her direction is to "turn" her head by male voice. She sold me Noyes and her frond lived in it, Fox. Brett talked about this, having her over a barrel in a real-estate deal when we were kids since she was my mother. She offered sex. In the sleep, she woke and "shoes" asked her what her problem was and she said "I swing". Doped up? I met her assistant years earlier when my ex-wife took me to Caldwell Banker. I was taken to the

Marriott on Coronado and other s places she took me. Joel Hoff took me to the flower shop that I bought flowers from to send her and it was Joel's program to send them I think. Tat talked about her, her athletic capabilities when I was a kid. Mike Kornblum mentioned that "they" make me since they load it in. Anna pulled the Three's Company stuff like my ex-wife. At Columbia, I was made to say I liked my father versus mother by the "Corner" while at dinner with Dave Moyer. I buffer and am positive it happened and was on the path to getting extremely doped up to the point of hurting myself. Never did I want to take my life, ever. I start saving myself at my core.

- Lori Miller – **taken** into her residence by Joel Hoff years prior to meeting her. Dave Moyer talked of her, Goldilocks. She overtly stated, "do I remember". Also, we ate were my ex-wife took me. Everything was BEFORE.
- Jana Goddard – **taken** to her residence by Joel Hoff and also Hyatt office. She was going to give me office which might mean screwing me in her office or something. Brothers are wealthy from sale of email system to Microsoft which Tat talked about when I was a child. Tat said I could say Goddard. Adopted Asian who came through the G network. Gs are Hs and Hoff took me to Worldcom and Gilbert may have sent her out. Scott Generou of HDS communicates with Gilbert via window I office, etc. She knew she was arrangement and might swing. She would allow cheating with stories. She has the signs of "swing" and does have vaginal herpes. Might guide, etc.

- Nipples – Deliote and Touché – **taken** into her residence and place she played soccer years prior to meeting her by Joel Hoff. Joel took me to bar were we met, not random. Program was to screw in front of bed, fall in and fuck per Joel's direction. Maybe Joel Hoff added to the list. He took me to Trophy's and I took hits, a program, from another. I feel the brain stem activity. I pushed Nipples on the game and got to the soccer field I was taken to before which pissed her off. Proof of tampering and destruction of my life was what I wanted to prove and maybe these Hoffmiester's and Johnson's have in addition to my mother destroyed my life. Tampering. I don't remember her from Tat. Joel Hoff might be heavily involved in tampering. I don't know him.
- Indonesia/Regina – **taken** to Ryoko Nessheim's by Joel Hoff were I met her years prior to meeting her. She completed comments about wealth via land which matched my mother. Dave said she would work in a Tia restaurant down town and did and Ryoko Nessheim mentioned matches i.e. remember what he said about her boyfriend making her come over at 3am, Tia Restaurant, etc.
- Kathy/Tie – **taken** to 2 restaurants by my ex-wife and Joel Hoff years prior to meeting her.
- China/Wei – Tat talks to her I think. It might be her sister and my ex-wife spoke of her. She could program me perfectly, it was NEO from matrix. Clear, perfect load, complete control and she asked to have me hired. She is watched and some want to know if she is horny, turned on by men. My direction was to check it out. Male voice said they know her since she

leaves them cold on the dance floor however another voice in the sleep says she is dry and hence could not return my phone call. Who knows. She did try to hire me via Armand Rodezno which is part of my ex-wife's plan to give these Asian arrangements employment. This leads me to think that Armand not only sparrowed Korea but did it to Japan. (spoke to Armand Rodezno?)

- Matina Palmer - **taken** to HDS Orange, CA by ex-wife years prior to meeting her. Tat said her brother will be a truck driver, from Oregon (maybe Portland), and that Tat would make her a company, Possy, since she liked "ring around the possy"...other.....Tat said she would have a baby for me since I could say Sterile. I think I heard Palmer say this.....
- Janet Morley - Brett talked about a midget I think, adopted, etc. and it is his network that knows her. From Boston. Hitachi and Andataco. She said she is WACO and that I do not have to talk to her. She might be honest and tell all and moves probably from her experiences being programmed. In an HDS office, the WALL told her to leave since she was gay. She offered what I believe was group sex at airport with her many friends. She moves allot.
- Mitsi Thompson - Tat said she would have a T, Thompson I believe, who would be a teacher and have black blood. San Diego is the town Tat talked about when I was a child.
- Thompson - **taken** to Reagan Road by ex-wife. Tat said she would take me home and screw me since it hard to have sex. Maybe ex-wife added to list. I get directed to meet them, not by chance. She has one kid and father has a tennis club in Escondido or something.

- Crystal - Maybe Andataco's Crystal. **Taken** by Joel Hoff to Andataco years prior to me coming to San Diego. Net, my brother's talked about this person having huge tits. She is married so I do not know her maiden name.
- Page House - Tat said she would build furniture and matched Page's signature. I get programmed to meet the arrangements including Page. The programming is blatant. She might have a female lover and showed signs of necrophilia that could be Gay's way of dealing with men and sex. **Taken** to a place close to her place, parking spot.
- Lindsey - **taken** to her place of residence by Joel Hoff years prior to meeting and it seemed her roommate was younger and beautiful and wanted to meet me however I could not break the program. Tat said that she would be a bagger. She is ugly and doped up and bags at a grocery store. Highly programmed to meet her from Window and maybe ceiling.
- Rubi - **taken** to her place by my ex-wife, not inside, and programmed. Maybe I was taken inside and Joel Hoff may have driven me into the place. Sometimes there is overlap in the arrangements. Maybe a late add from my ex-wife and her ability to program me. Net, it is tampering, the loads.
- Columbia professors Brent and Williard arrangements per Tat and Uconn guy.
- Beth Guido - in CT she worked for GE Capital. Dave, Tat, and ex-wife talked of her....Dave said w/ Tat that Denis Nayden, CEO GE Capital, could do it for her, make me...she is Irish, ref: IBM case and his

brother Mike Nayden. G is Gerstner also……name game……programmed to meet, etc. before

- Kelly Sutton – late arrange by ex-wife who **took** me to furniture store in Westport, CT. Brainstem to go there and lady asked me if she could set up. She might have been directed…it was Sutton, and she know it….
- Lawyers – Brooks (tat), Payne (ex-wife), Plaskin (ex-wife, Tulane, Virginia), Wine (tat). With Plaskin my ex-wife took me into her house **before** Columbia and she must have been in my airspace to have had her track me down in Golf Park, Longshore…..she ran in saying he can say "smartskirt"…..this was not random chance, luck, etc. I was not to hear for 40 years or be helped other then programmed and my mother alone can probably substantiate this…..if I was programmed, I have been lulled and not able to take action and have been controlled in weaker states of mind to do things I would never do to my self and had not for 32 years or so.

***Valparaiso University***

1. Field – Jeff Hoffmiester, Stride?
2. Benner – digger told her to date me – Valpo was sexless to that point.
3. <u>Davis, Massey/Columbia</u> – Alan Davis said he will marry late maybe, big brother in Pike. Told me to remember and might have said something about Hawaii. Jim Davidson at Hitachi? Dave Roberson = ex-wife, Riggin/Roberson is her chair?

**Taken**

I have retraced my footsteps (path) for the past 15 years and believe many people have tampered with me in the sleep. Those close to me took me places in addition to others. For example an "old" friend Dr. Johnson took me to Williams and Sherwood's residence and meeting place in Chicago pre-Columbia however others took me to their places years before just after graduating Valparaiso. I was taken to were DMR/Fujitsu later hired me (Rosemont, IL), Stellcom San Diego, Andataco San Diego, Hitachi Orange, CA, Archstone La Jolla, Columbia University housing #5H, 131 Liberty Corner Road, 4750 Noyes #203, Belden Stratford #1015, 19 Vellisimo Aliso Viejo, CA, Law Office of Steven Horner, Qualcomm Offices, 31 Hillandale Road Westport, CT, etc. years prior to living or working at these places as part of a program. A Vice President at Hitachi, Jack Andersen, made reference to the BEFORE program. If you get your business school program and your arrangements for going then someone loaded death for me at Columbia and I am asking a Courthouse in the Unites States of America for help. I may end up filing many more complaint as a result of this complaint.

In summary, a few people can make these statements valid including Dr. Johnson, Dr. Hoffmiester, Tat Moyer, Laura Riggin (ex-wife), Tanna Kelb, Dave Moyer, Brett Moyer, Jamie Wine, etc. Other can elaborate to the tampering issues. I believe that many people have conspired to destroy my life and I ask the Court for help. Tampering should be illegal and could

lead to forms of damage including disease. I believe that I have clear logical legal issue directly related to Columbia University, IBM, Hitachi and others and they should be addressed mutually exclusive of one another. I also believe that via communication paths, networking that a master program was developed and executed by someone (s) possibly my mother and links individuals across many organizations and entities. I am unemployed and have lost my home. My ability to find a "quality" spouse is limited and I believe that programming (mental conditioning) only allows me to meet a select few. My life has been destroyed by many entities and individuals I believe are at fault. I am reminded of a time long ago when Tat came into my bedroom as a child and mumbled something about programs coming through the closet.....so closet would know or something. What does this mean? Again, I grew up in silence not being allowed to talk, question or escape my daily scolding in addition to being held down and physically abused.

Additional Examples
(Programmed, doped up, and manipulated)

Proves more then manipulation or humans being creatures of habit/pattern - sedated, mental conditioning <u>TAMPERING</u> in the sleep w/ mind control.

- CSC San Diego & Larry Smith's office years **before**, voice said "you will be in that office".....
- Raytheon/CSC and Lunch w/ Murphy/Harper years **before** (Mustang)
- HDS (M. Smith) Spawar meeting place w/ Joel Hoffmiester years **before**
- HDS Calloway meeting (M. Smith) - ? Joel
- Motor Drive in LA / Andataco product Kelly Johnson **before**
- Paramont Pictures, LA – Kelly **before**
- Ant Farm, LA – drove in – Kelly **before**
- Universal Studios, LA – Kelly **before** Kelly would have a book signing....
- PowerOne – Laura/Kelly on 2 trips up PCH, drove in **before**
- Raytheon Goleeta – Laura , driving up PCH **before**
- Raytheon El Segundo – lobby?????????? Met with Larry Arnold.
- Boeing El Segundo (Hughes) ??????????? Restaurant in hotel next to it.
- Claim Jumpers SD and Carlsbad – Joel before then w/ HDS consultant and Joe Pierce.....**before**
- eBuilt – Joel Hoff, walked me in years **before**, same as Stellcom, etc.
- S4R's Aliso Viejo office in Infrastructures **before**, Japan garden
- Offices were escrow was done in Mission Valley, Post Office and finance office were Anna's M guy does loans, etc. – Joel Hoff **before**

- HDS Seattle, HDS Denver were IBM might have been **before**
- L3, Great West, Sony, Rellera before so Skip Evens might have stopped by Great West while going to AT&T site while we worked at IBM.....**before**
- USD tour (Joel Hoff who mentioned all he does is copy) same as Mike Hoerr walked with me years later, **before**
- Planned Parenthood in SDSU (College) and Encinitas - Kelly/Laura/Joel Hoff **before**
- Around were TREO is being built - Joel Hoff, **before**
- Kelly Johnson took me to/into Phil Friedman's house **before**
- Retard - U-turn, restaurant, into her house by Laura - **before**
- Juhie Hur (Huh)'s new apartment in Archstone UTC, 2 bedroom - Joel, **before**
- Joel Hoff into Pekos house in La Jolla (NYL), Brent Moore's house (NYL), Noyes condo **before**
- Joel Hoff into New York Life office of Joel Mendoza, years later 02 he communicates with Montalvo
- Aliso Viejo condo into, Laura took me buy and around houses same area **before**
- Joel Hoff into Issacson's apartment in SD close to Korean friends of Hur into also who daughter went to U of I...**before**
- Issacson met me and probably programs like the others to meet me, get me out. She works at HNC Software and when called CEO, VPs, HR

guy Mark said call lower and that "she" sent her out to help you…..Isaacson??? Is she programmed by managers or does she program to find mate, tampering?? Hoffmiester took me into her apartment **before**

- Golden (Italian/divorced w/ kids) – Brett said one is Nymph, Joel Hoff **took** me to her house into and her friends, into…..voice said you want to get into that "back" bedroom…gay network, 3 some….Ann?????
- CT – Laura **took** me to Leslie Plaskin's house into, lawyer from Tulane, Virginia Law. She ran into gold club saying "he" can say smart skirt! Female network? Clearly programming w/ 4 lawyers involved, Brooks, Plaskin, Wine, Payne. 2 from Tat and ex-wife added 2 on "list"…… **Before**.
- Kaiser (Permanente) Joel Hoff took me into house years prior to meeting w/ Ryoko in Poway. **Before**.
- IBM Somers, NY and IBM Armonk, NY (Morris) **before**.
- Paragon in NJ (Fox, ex-wife), EVERYWHERE **before**.
- Bridgeport, CT places of Baker (ex-wife) **before**.
- Perot Systems in Dallas, TX **before**.
- 19 Vellisimo w/ Joel Hoff / Cody direction years **before**.
- Places like CalTech, Kaiser in Pasadena, etc. **before**.
- Yale Law library by ex-wife **before**, straight up.

- Keane in Long Beach, nStor office in Long Beach years **before**. Director (A) was OK an then Carol came in at Keane and nervous me.
- Ameritech to Mavis Steinmyers office, sec to Rob Shainsted **before** and Barrington, IL house of Jon. Valpo's Warren Fry asked if I remember that he said he would be moving to Crustal Lake, **before**.
- Coranado house for rent w/ ex-wife **before**.
- Qaulcomm offices of Roach and Faus (into) **before** and Erickson building.
- Western Mission Mortgage, Coranado, office of J.D. Dudak by Joel Hoff **before**.
- Primerica in SD and annex building **before** by Joel Hoff.
- Careers 2000 in Orange County and Concannon's office **before**.
- 220 Broadway SD Courthouse **before**
- Orange County Courthouse **before**
- HR office for bank in building TREO sales center **before**
- 625 Broadway, 9th floor before – lawyer referral **before**
- LAW Library of San Diego **before**
- Padre Garden and Wind-n-Sea apartment **before**
- Avinita Navidad Archstone apartment UTC #270 – **before**
- LAW office of Kim and Kong – **before**
- Place I was interviewed by Konkord, Newscorp – **before**
- MPAK Technologies office – **before**
- Dave Sykes house in Del Mar (rented) – **before**

- Tiffany, South Coast Plaza, bookstore Japan book – **before**
- Huntington Beach – **before**
- Superior Court of San Diego, broken escalator, past DA office Pfist, Joel Hoff direction about having to take him in maybe – **before**
- La Jolla Shores restaurant, same seat, table Rush/Director outside - **before**
- Ameritech Rosemont/Bevente and remote sites – **before**
- Program: Dave Moyer, brother said that I will meet "her" on the train pre-Columbia…did meet Shawn Reilly on a train to CT who said that "they" said I could say 100K once an expert???? I met him at GE in IL for one week prior to leaving for IBM. Digs into me???
- Program: I believe made to run into Bernard Markey after Columbia in Bernardsville, NJ at train station. He offered that "I will be safe out hear". I met him and Tom McAuley (Tiger/Robinson/ex-wife/Kathy Murphy) just before Columbia. How did he know or connect to safe in NJ???? Mulach may have spoke to me in sleep at Columbia…..harassment and tampering……privacy.
- Overland Data, Western Sci – **before** by Joel Hoff
- US District 9th and 8th floor detail, courtroom 9D and criminal case plus records place **before**
- *IBM Somers by Morris into office I would work in, IBM owed me money when they walked me out and security pushed me physically….**before, logical to***

***assume IBM, Columbia programmed me... could not sue....ex-wife's program for $2M.....Horner said got Answer and WALL would not let take case on consign... ...* before**

- *Dave Moyer talked of Gerstner doing it again to me and the name JR. .. Matsou dated JR, then met JR Gamez in meeting and it seemed Gerstner nervoused me, took control,*
- SD Law Library (early 90s) by Joel Hoff but handed me Lee book, statutes **before** and also wanted to take me into jail but direction said can't do that to him maybe.....designer of program w/ his direction.....
- UCSD swimming pool, Joel Hoff sometime lead me probably knowing the program was before, like Dave, ex-wife.....
- Vegas hotels were Hitachi, Kelly and I stayed, Chicago hotel were Hiatchi's Mulach had meeting also New Orleans **before**
- Place I met Jerry Hoffmiester **before** in Del Mar
- All places IBM Somers reengineering team took me, SSD (all meeting rooms), Charlotte including dinner with someone, Cajun, Poughkeepsie, Fishkill - **before**
- Ex-wife took me on road to **before** Baker's in CT ad said "Here" and "here" pre-Columbia and post-Columbia I drank one beer and was drunk, sick and Baker took me to her place and at those same spots I vomited...sim to ex-wife saying "here" on steps of Kelb's house in Westport, CT were I would later pull my back. Clearly she planned her divorce and was involved in

programming me, destroying my life.....relation to IBM, Barbara, DMR, Hitachi, etc. per her verbal comments to windshield, etc. I was lulled, doped up and not from drugs but from probably nightly brain tappings....

- EVERYWHERE **before**

Everywhere BEFORE: Including significant tampering to execute program of business school, childhood and meeting arrangements?

1. Why would anyone have so many arrangements?
2. Why would someone want to make me GAY, attempted murder? Dave Moyer, Al Grigaliunas, Dr. Kelly Johnson comments pre-Columbia?
3. Why are those on some "list" the only females I meet most having problems?
4. Why the sparrowing? Dave Moyer mentioned sparrow pre-Columbia. Karen Williams, arrangement, was directed and sparrowed off wall but I could not hear who, "now kiss her".
5. Why do I feel the brainstem activity and do these arrangements load programs in addition to organizations like Columbia, Hitachi, etc.
6. FOR THIS TO HAPPEN MY **PHONE WAS TAPPED** AND MY MOTHER WAS ONCE ON IT TALKING TO FEMALES IN NEW JERSEY SAYING THAT I CAN BE MY EX-WIFE OR SOMETHING. WE THEN SPOKE OF THIS IN MY SLEEP. THE ARRANGEMENTS

INCLUDING SOME LEGAL PROFESSIONALS INCLUDING BROOKS, ETC. I AM SURE HAVE TAMPERED WITH MY LIFE.

7. Mother said Germany would set me up with retarded as child.....picture in German Kitchen looked of "slow" person.....net, after Adamek, my mother in PA said that "they" will do it again.....I hear it but am lulled by the person who controls me, over me.....extreme tampering by IBM, Columbia, Hitachi, New York Life and selected others KEY individuals....heinous, malice, transfer malice, etc. destruction of ones life is criminal .....

8. Dave Moyer said about not doing it to me,,,maybe Brad's wife, that "she" knows me, tower,....Dr. Kelly said something about Brad's wife checking into mental institution and came back to it post-Columbia around his wedding in Chicago.....Brett Moyer always said I'm a women, maybe class set up of peers I don't know about.....confirms Columbia and IBM Al Grigaliunas comment about making people.....pre-Columbia. Also, tested possibly in November 2002 w/ suicide load via window, gay program, etc. and last night tested on Jerry Hoffmiester's voice in sleep???? Can substantiate tampering .....heinous.....

9. Thanksgiving 2002 restaurant, same table, same seat, controlled - this is true of every restaurant, female, house, apartment, work place, interview, etc. I have been to since Columbia, 1995.

10. As a kid, I was to be made Watson Jr who ran IBM for 35 years and had a hooker in every city, lover.

# Appendix B

# Supreme Court

**UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**

U.S. Court of Appeals Docket Number: 02-57036
Lower Court Docket No.: CV-02-00942-DOC
Short Title: Moyer v. Hitachi Data Systems

Filed MAR 06 2003

**ORDER**

A review of the file in this case reveals that the appellant has failed to perfect the appeal as prescribed by the Federal Rules of Appellant Procedures.

***FAILURE TO FILE A MOTION FOR LEAVE TO FILE A LATE BRIEF***

Pursuant to Ninth Circuit Rule 42-1, this appeal is dismissed for failure to comply with the rules requiring processing the appeal to hearing.

A certified copy of this order sent to the district court, agency, Tax court or Bankruptcy Appellate Panel shall act as and for the mandate of this court.

For The Court:
Cathy A. Catterson
Clerk of Court

By: Marian Foreman
Deputy Clerk

# Appendix C

# Supreme Court

**UNITED STATES DISTRICT COURT**
**CENTRAL DISTIRICT OF CALIFORNIA**

CIVIL MINUTES - GENERAL

Case No. SA CV 02-942 DOC (MLGx)
Date: November 13, 2002
Entered Nov 15, 2002

Title: Jon Earl Moyer v. Hitachi Data Systems
DOCKET ENTRY

PRESENT: THE HONERABLE DAVID O. CARTER, JUDGE
Kristee Hopkins - Courtroom Clerk
Not Present - Court Reporter
ATTORNEYS PRESENT FOR PLAINTIFFS - NONE PRESENT
ATTORNEYS PRESENT FOR DEFENDANTS - NONE PRESENT

**PROCEEDING (IN CHAMBERS): GRANTING DEFENDANT'S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Before the Court is Defendant Hitachi Data Systems' motion to dismiss for failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6). The Court deems the matter appropriate for decision without oral argument. Fed. R. Civ. P. 78; Local Rule 7-15. Accordingly, the hearing set for Monday, November 18, 2002 is VACATED. After reviewing the moving, opposing and

replying papers, and for the reasons set forth below, the Court GRANTS Defendant's motion.

## 1. BACKGROUND

Plaintiff was employed be Defendant during parts of 2000 and 2001. On September 20, 2002, Plaintiff filed his original complaint against Defendant. Plaintiff then filed a First Amended Complaint alleging wrongful termination, sexual harassment, "tampering", race discrimination, and intentional infliction of emotional distress. Plaintiff brings his race discrimination and sexual harassment claims as violations of Title VII of the 1964 Civil Rights Act.

As support for his sexual harassment allegations, Plaintiff contents that his supervisor invited him to "swing" on several occasions, that another employee continually touched and harassed him, as well as various other acts. Plaintiff contents that he was terminated because he "did not fit the swinger profile". (Plaintiff's First Amended Complaint (FAC) at 2.)

The "tampering" claims relates to Plaintiff's belief that that Defendant mentally "condition" him at night while he sleeps. Plaintiff also alleges that he has been programmed over the course of his employment and that Defendants "sedated" him.

Plaintiff's race discrimination claims are primarily based on both abuse suffered at the hands of his mother and employees of defendant

who introduced themselves as English and misspelled Plaintiff's name as "John" instead of "Jon". Plaintiff therefore contends that Defendant is "controlled by the English," which led to his termination. (FAC at 4) Finally, Plaintiff alleges that his managers intentionally inflicted emotional distress on him.

## II. LEGAL STANDARD

Under Federal Rule of Civil Procedure 12(b)(6), a complaint can be dismissed when a plaintiff's allegations fail to state a claim upon which relief can be granted. The Court must construe the complaint liberally, and dismissed should not be granted unless "it appears beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief." *Conley v. Gibson*, 355 U.S. 41,45-46,78 S. Ct.99, 101-02 (1957); see *Balistreli v. Pacifica Police Dep't.* 901 F.2d 696, 699 (9th Cir. 1990) (stating that a complaint should be dismissed only when it lacks a "cognizable legal theory" of sufficient facts to support a cognizable legal theory). The Court must accept as true all factual allegations in the complaint and must draw all reasonable inferences from those allegations, construing the complaint in the light most favorable to the plaintiff. *Westlans Water Dist v. Firebaugh Canal*, 10 F.3d 667, 60 (9th Cir. 1993); *Balistreri*, 901 F.2d at 699; *NL Indus., Inc. v. Kaplan*, 792 F.2d 896, 898 (9th Cir. 1986). Dismissal without leave to amend

is appropriate only when the Court is satisfied that the deficiencies of the complaint could not possibly be cured by amendment. *Chang v. Chen*, 80 F.3d 1293, 1296 (9th Cir. 1996); *Noll v. Carlson*, 809 F.2d 1446, 1448 (9th Cir. 1987).

## III. DISCUSSION

### A. Claims Under Title VII of the 1964 Civil Rights Act

Plaintiff brings his claims for race discrimination and sexual harassment under Title VII of the 1964 Civil Rights Act. However, Plaintiff has not pursued administrative remedies by filing a complaint with the Equal Employment Opportunity Commission (EEOC) within 180 days of the occurrence of the alleged violations, as required by 42 U.S.C. $ 2000e-5(e)(1). Plaintiff's complaint states that his employment with Defendant resulted in his "discharge of July 31, 2001. Based on a filing date of September 20, 2002, Plaintiff's claim is clearly time barred.

Plaintiff's contradicts the fact of his complaint by arguing in his opposition that a pay stub constitutes that he was employed in November 2001. Aside from the impropriety of the Court's consideration of new allegations while deciding a motion to dismiss, the pay stub clearly indicates that it is the result of post-termination payment of a sales bonus. The

Court therefore GRANTS Defendant's motion to dismiss Plaintiff's federal law claims.

**B. California Code of Civil Procedure Section 340 (3)**

Defendant contends that Plaintiff's remaining claims for wrongful termination, intentional infliction of emotional distress and tampering are also time-barred because they are subject to a one year limitation period.

Wrongful termination, intentional infliction of emotional distress, and "tampering" are all intentional tort claims subject to the one year limitations period set forth in section 340 (3) of the California Code of Civil Procedure. See *Mullins v. Rockwell Int'l. Corp.*, Cal. Rptr. 2d 636, 643 (Cal. 1997) (wrongful termination claim accrues from date of termination of employment); *Magpali v. Farmers Group, Inc.*, 55 Cal. Rptr. 2d 225, 234 (Cal. Ct. App. 1996) (intentional infliction of emotional distress claims are subject to one year statutes of limitations).

Although not addressed in Defendant's briefing, on September 10, 2002, the California state legislature added section 335.1 to the California Code of Civil Procedure. This new provision provides: "Within two years: An action for assault, battery, or injury to, or for the death of, an individual caused by wrongful act or neglect of another." Thus, the one year

limitation period for intentional torts has been replaced by a two year limitations period. Nonetheless, the new limitations period applies retroactively only to claims relating back to September 11, 2001. As Plaintiff's alleged injuries occurred, at the latest, as of July 31, 2001, the limitations period for Plaintiff's claims is one year.

Plaintiff's state law claims are therefore time barred. As a result, the Court GRANTS Defendant's motion to dismiss these claims.

## IV. CONCLUSION

Accordingly, for these reasons set forth above, the Court GRANTS Defendant's motion to dismiss all of Plaintiff's causes of action for failure to state a claim upon which relief can be granted. Because Plaintiff cannot save his claims for from the applicable statutes of limitations, those claims are DISMISSED WITH PREJUDICE.

The Clerk shall serve this minute order on all parties to the action.

# Appendix D

# Supreme Court

**SUPERIOR COURT OF CALIFORNIA**
**COUNTY OF ORANGE, CENTRAL JUSTICE CENTER**
MINUTE ORDER
DEPARTMENT C-14

COURT CONVENED AT: 3:00PM
ON: OCTOBER 10, 2002
JUDGE / COMM: DAVID C. VELASQUEZ
CLERK: C. CARR
BAILIFF / REPORTER: NONE

AND THE FOLLWING PROVEEDING WERE HAD:

**02CC14874 MOYER V. HITACHI DATA SYSTEMS**

**IN RE: NOTICE TO THE SUPERIOR COURT OF REMOVAL OF ACTION TO FEDERAL COURT**

No appearances. The Court having been notified by counsel that this case has been removed to Federal Court, hereby orders this case suspended pursuant to C.R.C. 225(d)(1). All reporting requirement are vacated. Parties are ordered to comply with C.R.C. 225 by notifying the Court when the stay has been vacated or is no longer in effect. Failure to comply with this Rule may subject counsel to sanctions pursuant to C.R.C 225(e). Court now orders this case removed from the inventory of the Hon. David C. Velasquez, in Dept. C-14, and placed on the Omnibus Calendar for monitoring. All future motions are to be calendared and heard on the Omnibus Calendar. Clerk to give notice.
**ENTERED: 10-10-02.**

Brobeck, Phleger & Harrison, 2000 University Ave., East Palo Alto, CA 94303;
Jon Earl Moyer, 5205 Fiore Terrace, B204, San Diego, CA 92122
I, Alan Slatter, Executive Officer and Clerk of the Superior Court, in the and for the County of Orange, State of California, hereby certify that I am not a party to the within action or proceeding and that on October 10, 2002 I served a copy of this minute order on the parties named above by depositing a true copy, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Postal mail box in Santa Ana, California addressed as indicated above.
Dated: October 10, 2002 by Christine Carr, Deputy Clerk